

**ZB# 72-13**

**Frank & Doris LaRocca**

**6-1-31**

no fee paid  
Public Hearing  
June 19th:

8:30

LaRocca,  
Frank & Doris 112-13

La Rocca  
La 843  
2

Filed

8-8-72

12:20 P.M.



Oxford

STOCK No. 752 1/3

MADE IN U.S.A.

~~Handwritten scribble~~

6-1-31

LaBacca,  
Frank & Doris 11/8-13

**PUBLIC NOTICE OF HEARING  
BEFORE THE ZONING  
BOARD OF APPEALS**  
PLEASE TAKE NOTICE that  
the Zoning Board of Appeals of  
the Town of New Windsor, New  
York, will hold a public hearing  
pursuant to Section 48-33-A, of  
the Zoning Ordinance, on the  
following proposition:  
Appeal No. 13  
Request of Doris and Frank  
LaRocca for a Variance of the  
regulations of the Zoning Or-  
dinance, to permit construction  
of a general store and bait shop,  
being a variance of Article III  
and IV, Section 48-7 and 48-14A,  
for property owned by him, si-  
tuated as follows: on the  
southside of Rt. 207 at the "Junc-  
tion" of Temple Hill Rd., Town  
of New Windsor, N.Y.  
SAID HEARING will take place  
on the 19th day of June, 1972,  
at the New Windsor Town Hall,  
55 Union Avenue, New Windsor,  
N.Y., beginning at 8:30 o'clock  
A.M.  
FRED WYGANT  
Chairman, By Patricia Delo,  
Secretary  
June 8

State of New York  
County of Orange, ss:

Brian J. Donnelly, being duly sworn deposes and  
says that he is .....The Publisher..... of Newburgh-  
Beacon News Co., Inc., Publisher of The Evening News,  
a daily newspaper published and of general circulation in  
the Counties of Orange and Dutchess, and that the notice  
of which the annexed is a true copy was published .....  
One Time

in said newspaper, commencing on the.....8th.....day of  
June.....A.D., 19 72, and ending on  
the .....8th..... day of .....June..... A.D., 19 72

Subscribed and sworn to before me this  
9th June 1972  
..... day of ..... 19.....





Notary Public of the State of New York, County of Orange.  
MY COMMISSION EXPIRES MARCH 30, 1973

Adopted 12/20/65

APPLICATION FOR VARIANCE

Application No. 72-13

Date: May 31, 1972

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF NEW WINDSOR, NEW YORK

X (We) FRANK & DORIS LA ROCCA of M. D. 29, Little Britain Rd.  
(Street & Number)

New Windsor, N. Y. N. Y. HEREBY MAKE  
(State)

APPLICATION FOR A VARIANCE:

A. Location of the Property southside of Rt. 207 at junction of Temple Hill Rd.  
(Street & Number) (Zone)

B. Provision of the Zoning Ordinance Applicable: (Indicate the article, section, sub-section and paragraph of the Zoning Ordinance applicable, by number. Do not quote the ordinance.) Art. III and IV - Sec. 48-7 and ~~XXXXX~~ 48-14 A

C. NOTE: NECESSARY FINDINGS: Before any Variance is granted, the Zoning Board of Appeals must find all of the following conditions to be present:

1. Conditions and circumstances are unique to the applicant's land, structure or building and do not apply to the neighboring lands, structures or buildings in the same zone because: Applicants' property is large enough for a house  
which is presently thereupon and a small general store and bait shop, which is  
proposed alongside the existing house.
2. Strict application of the provisions of this ordinance would deprive the applicant of a reasonable use of the land, structure or building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands, structures or buildings in the same zone because: The property is zoned RB-single family residential. Applicants' are proposing a small business next to their home in order to utilize the rest of the area of their lot. Mr. LaRocca is doing this because he is being forced to retire from his normal vocation due to a heart condition which left him ill and out of work approximately 2 years in the past. Applicants are unable to sell the property at the present time because of family interest.
3. The unique conditions and circumstances are not the result of actions taken of the applicant subsequent to the adoption of the Ordinance because: Applicants purchased the subject property back in 1969.

4. Relief, if approved, will not cause substantial detriment to the public good or impair the purposes and intent of this Ordinance because: \_\_\_\_\_

Applicants propose a small store which will not degrade the area, but will be a convenience to adjoining neighbors. No heavy traffic is anticipated or a heavy volume of business.

5. Relief, if approved, will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the zone because: \_\_\_\_\_

Other property owners have the same right to apply to vary the uses of their properties.

- D. Describe in detail how the property is to be used and submit plans or sketches in duplicate.

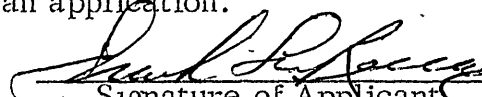
Applicants propose a small general store and bait shop, 20 by 22 ft. next to their home on the same lot. See attached sketch.

- E. Application to be accompanied by two checks, one payable to the Town of New Windsor in the amount decided by the Board and the second check payable to the Secretary for taking the public hearing minutes. Applications to be returned to: Secretary of ZBA.

- F. NOTICE OF HEARING: Applicant agrees to send notice of any public hearing via registered or certified mail to all abutting land owners as required by Sec. 9.4.1. of the Ordinance.

- G. If the property in question is located within a radius of 500 ft. of an adjoining municipality, the Board should be notified. Also, have your attorney check Sec. 239 l&M of the Gen. Municipal Law to see if it applies. If so, notify the Orange County Planning Board by sending them an application.

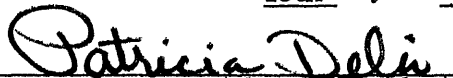
Dated: May 31, 1972.

  
Signature of Applicant  
FRANK LA ROCCA

STATE OF NEW YORK) SS.:  
COUNTY OF ORANGE )

Sworn to on this 13th day of June, 1972.

Rt. 207 - M. D. 29, New Windsor, N.Y.  
Address

  
(Notary Public)

562-6843

Telephone Number

PATRICIA DELIO  
Notary Public, State of New York  
Appointed in Orange County  
Mar. 30, 1972

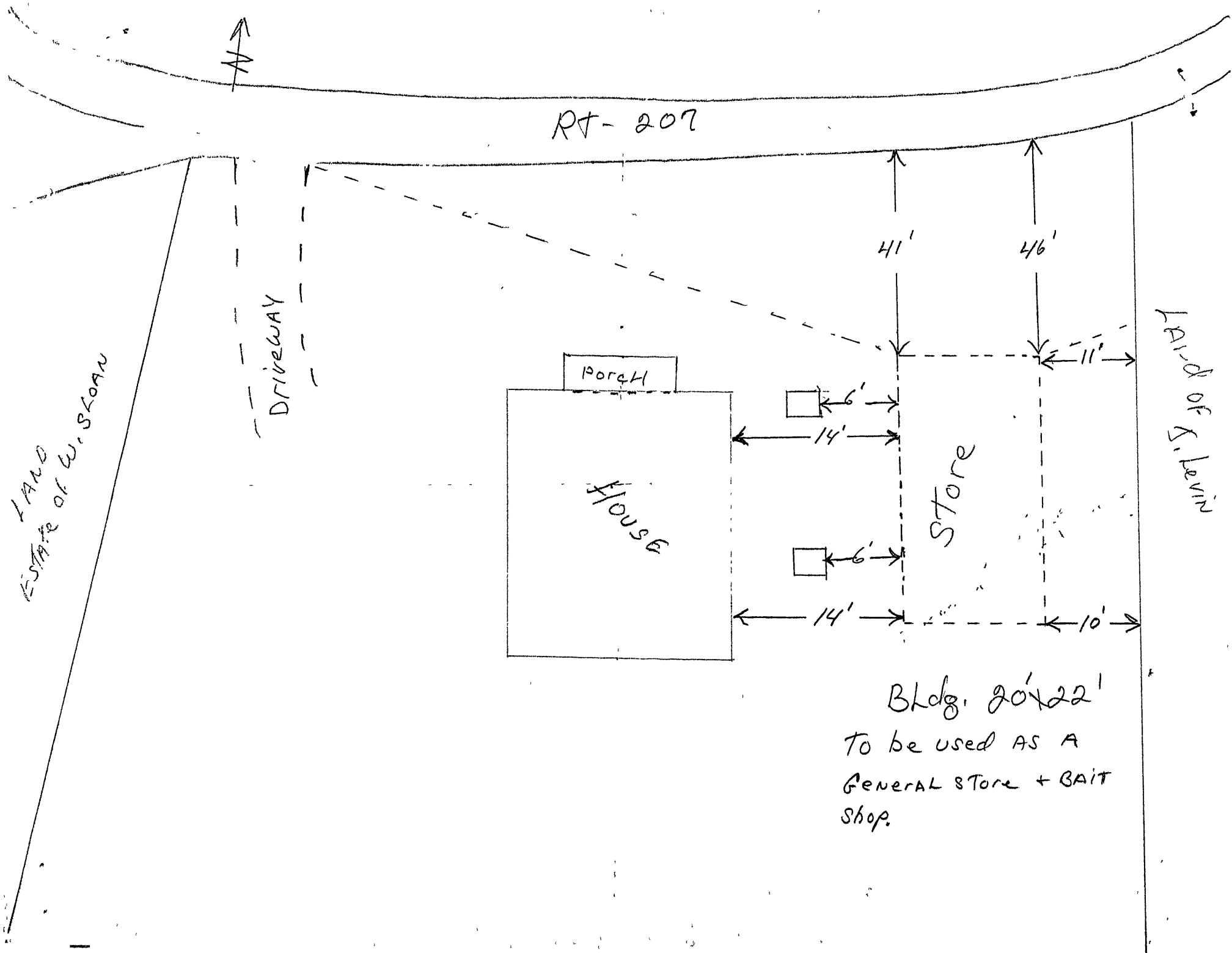
(DO NOT WRITE IN THIS SPACE)

Application No. 72-13  
Date of Hearing 8/10/72  
Date of Decision "

Date Received 5/31/72  
Notice Published \_\_\_\_\_

DECISION:

**Denied**





OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

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Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

June 6, 1972

Mr. Frank Larocca  
M.D. 29 Route 207  
New Windsor, New York 12550

Dear Mr. Larocca:

According to my records the attached list of property owners are within the five hundred (500) feet of the property you inquired about.

The charge for this service is \$15.00. Please remit same to the Town Clerk, making the check payable to Town Clerk, Town of New Windsor.

Respectfully,

*Ellsworth E. Weyant*

ELLSWORTH E. WEYANT  
Sole Assessor  
Town of New Windsor

EEW/pk

Enc.





OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman  
Ellsworth E. Weyant  
555 Union Avenue  
New Windsor, New York 12550  
(914) 565-8808

Gladys Brady  
Ruth Harris  
% Gladys Brady  
Sunset Drive MD#30  
New Windsor, New York 12550

Antonio T. & Shirley M. Marano  
% Newburgh Savings Bank  
94 Broadway  
Newburgh, New York 12550

The City of Newburgh  
Newburgh, New York 12550

Warren Sloan  
Temple Hill Road RD#2  
New Windsor, New York 12550

Frank Schaffner  
Little Britain Road  
New Windsor, New York 12550

Lewin, Joseph  
12 Catalpa Road  
Newburgh, New York 12550

Joseph Lewin  
12 Catalpa Road  
Newburgh, New York 12550

Americo & Rose Angeloni  
RD 2 Union Avenue  
New Windsor, New York 12550

Americo & Rose Angeloni  
RD 2 Union Avenue  
New Windsor, New York 12550

Alfonso & Mary Ronsini  
Temple Hill Road  
New Windsor, New York 12550

Edward & Rachel Lucas  
RD 2 Union Avenue  
New Windsor, New York 12550

Respectfully submitted,

*Ellsworth E. Weyant*  
Ellsworth E. Weyant  
Sole Assessor  
Town of New Windsor

TOWN OF NEW WINDSOR  
555 Union Avenue  
565-8808

DATE May 31, 1974

APPLICATION is hereby made for the following:

Agenda \_\_\_\_\_ Service \_\_\_\_\_

- ✓ 1. Name FRANK AND DORIS LA ROCCA  
Address MD. 29 Little BET. Rd. RT. 207  
Telephone number 562-6843  
Are you the owner of the property? Yes

- ✓ 2. Briefly describe intention (or attach) and location of property:  
General Store and Bird Fish - South Side Rt. 207 at  
junction of Temple Hill Road.

3. PLANNING BOARD

- ✓ \_\_\_\_\_ Site Plan Preliminary Meeting  
\_\_\_\_\_ Subdivision Preliminary Meeting  
\_\_\_\_\_ Informational Meeting

AGENDA DATE \_\_\_\_\_

4. ZONING BOARD OF APPEALS

- \_\_\_\_\_ Interpretation of Ordinance or Map  
✓ \_\_\_\_\_ Variance (Notify P/B - plans if necessary)  
\_\_\_\_\_ Informational meeting

AGENDA DATE ✓ June 5th - 7:30

5. BUILDING PERMIT

- \_\_\_\_\_ Planning Board action needed  
\_\_\_\_\_ Z.B.A. action needed  
\_\_\_\_\_ Site plan needed  
\_\_\_\_\_ Subdivision approval needed  
\_\_\_\_\_ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges  
applicable under the laws and ordinances of the State of New

DATE May 31, 1971

APPLICATION is hereby made for the following:

Agenda \_\_\_\_\_ Service \_\_\_\_\_

✓ 1. Name FRANK and Doris LA Rocca

Address M.D. 29 Little Brt. Rd. Rt. 207

Telephone number 562-6843

Are you the owner of the property? Yes

✓ 2. Briefly describe intention (or attach) and location of property:

General Store and Butch - South Side Rt. 207 at  
junction of Temple Hill Road.

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\_\_\_\_\_ Site plan needed

\_\_\_\_\_ Subdivision approval needed

\_\_\_\_\_ Water, Sewer and Highway action needed

ACTION TAKEN:

✓ I do hereby affirm that all fees, permits and charges applicable under the laws and ordinances of the State of New York and the Town of New Windsor will be paid and that any expenses for advertising of Public Hearing or meetings will be paid. Also any legal or engineering fees for review of this project.

..... P. P. R. .....